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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,093	03/11/2004	Tian-Ming Lee	MR2549-31/CIP	4601

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ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER	
OJINI, EZIAMARA ANTHONY	
ART UNIT	**PAPER NUMBER**
3723	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,093	LEE, TIAN-MING	
	Examiner	Art Unit	
	Anthony Ojini	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by **Chow** (5,531,140).

With respect to claim 1, Chow discloses an extension structure, comprising: a main body (12); a drive rod (20) movably mounted in the main body; an elastic member (24) mounted in the main body and urged between the main body and the drive rod; and a rotation control member (30) rotatably mounted on the main body and rested on the drive rod, so that the drive rod is moved in the main body by rotation of the rotation control member (see figs. 1-3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chow** in view of **Hoff et al.** (6,199,457 B1).

With respect to claim 2, Chow discloses wherein the main body has an inside formed with a receiving chamber (13) and has a peripheral wall formed with a circular shaft hole (11) communicated with the receiving chamber, the drive rod is movably mounted in the receiving chamber of the hole of the main body main body and has an end formed with an operation slot (21) aligning with the shaft hole.

Chow also discloses the rotation control member includes a circular rotation body rotatably mounted in the shaft hole of the main body **but fails** to disclose **a knob** mounted on a first side of the rotation body and protruded outward from the main body, a circular drive section mounted on a second side of the rotation body and received in the operation slot of the drive rod, and a circular enlarged head mounted on a distal end of the drive section and protruded outward from and rested on a peripheral wall of the drive rod.

Hoff et al. disclose **a knob** (57) mounted on a first side of the rotation body and protruded outward from the main body, a circular drive section mounted on a second side of the rotation body and a circular enlarged head (58) mounted on a distal end of the drive section.

It would have obvious to one having ordinary skill in the art at the time the invention was made to provide Chow's tool with **a knob** mounted on a first side of the rotation body and protruded outward from the main body, a circular drive section mounted on a second side of the rotation body and a circular enlarged head mounted on a distal end of the drive section in view of Hoff et al. so as to resiliently retain the socket in place on the drive tool.

With respect to claim 3, Chow discloses wherein the shaft hole of the main body is extended into the receiving chamber and has a side formed with a recessed closed wall, and the enlarged head of the rotation control member is rotatably mounted in the closed wall of the shaft hole of the main body (see fig. 2).

With respect to claim 4, Chow fails to disclose wherein an enlarged head of the rotation control member has a diameter greater than that of the drive section.

Hoff et al. disclose wherein an enlarged head of the rotation control member has a diameter greater than that of the drive section.

It would have obvious to one having ordinary skill in the art at the time the invention was made to provide Chow's tool with an enlarged head of the rotation control member that has a diameter greater than that of the drive section in view of Hoff et al. so as to resiliently retain the socket in place on the drive tool.

With respect to claim 5, Chow discloses wherein the operation slot of the drive rod has a shape of a keyhole (see fig. 1).

With respect to claim 6, Chow discloses wherein the operation slot of the drive rod has a first end formed with a passage portion (21) and a second formed with a positioning portion (210), and the drive section of the rotation control member is extended through the passage portion of the operation slot and inserted into the positioning portion of the operation slot (figs. 2,3).

With respect to claim 7, Chow fails to disclose wherein the passage portion of the operation slot has a diameter greater than that of the enlarged head of the rotation control member.

Hoff et al. disclose an opening (30) that is greater than the enlarged head (58) of the rotation control member.

It would have obvious to one having ordinary skill in the art at the time the invention was made to provide Chow's tool with an opening that is greater than the head of the rotation control member in view of Hoff et al. so as to ensure the head of the rotation control member is easily inserted through the opening.

With respect to claim 8, Chow discloses wherein the positioning portion (210) of the operation slot has a width smaller than the diameter of the passage portion (fig. 3).

With respect to claim 9, Chow discloses wherein positioning portion of the operation slot has a width equal to the diameter of the drive section of the rotation control member (see fig. 3).

With respect to claim 10, Chow discloses wherein the drive section of the rotation control member is slidable in the positioning portion of the operation slot by restriction of the head of the rotation control member.

With respect to claim 11, Chow discloses wherein the rotation body of the rotation control member formed with a recessed oblique guide face, and the operation slot of the drive rod has a distal end formed with an oblique guide edge rested on the guide face of the rotation control member (see figs. 2,3).

With respect to claim 12, Chow discloses wherein the rotation body of the' rotation control member is rotatable between a first position where the guide face of the rotation body is aligned with and rested on the guide edge of the drive rod and a second position

where a peripheral wall of the rotation body is aligned with and rested on the guide edge of the drive rod to move the drive rod (see figs. 2,3).

With respect to claim 13, Chow discloses wherein the receiving chamber of the main body has a distal end formed with a closed wall, and the elastic member (24) is mounted in the receiving chamber (13) of the main body and is biased between the closed wall of the receiving chamber and the second end of the drive rod (see figs. 1-3).

With respect to claim 14, Chow discloses wherein the main body has an end formed with a rectangular locking end having peripheral wall formed with a ball receiving hole (14) communicating with the receiving chamber (13), and a locking ball (15) is movably mounted in the ball receiving hole (14).

With respect to claim 15, Chow discloses wherein the drive rod has the other end formed with a cavity (23) that is movable to align with the ball receiving hole (15) of the main body for receiving the locking.

Chow fails to disclose wherein the drive rod has the other end formed with an arcuate cavity (23) that is movable to align with the ball-receiving hole (15) of the main body for receiving the locking.

It would have been an obvious matter of design choice to make the drive rod has the other end formed with an arcuate cavity or shape was desired or expedient. A change in form or shape is generally recognized as being within the level of ordinary skill in the art, absent any showing of unexpected results. *In re Dailey et al.*, 149 USPQ 47.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fox, III et al., Hsieh disclose quick release socket adaptor; Grover discloses quick release ratchet wrench; Cheng, and Lee disclose socket wrench extension respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ojini whose telephone number is 571 272 4492. The examiner can normally be reached on 7 to 4 Tuesday-Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272 4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AO
7/19/05